

HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.23743 OF 2000

Between:

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Sri Ram Traders, Zenda Chowk Mahal,
Plot No.1022, Nagpur, rep., by its Proprietor
Mr. Nishikanth, S/o. Tukaram Chalpe,
Aged about 40 years, Occ: Grain Merchant and
Commission Agent, Nagpur

... Petitioner

AND

The Divisional Forest Officer, Adilabad

... Respondent

:: ORDER ::

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Counsel for the petitioner : Shri B. Vijaysen Reddy

Counsel for the respondent : Assistant Government
Pleader for Forests

July 25, 2007

In this petition, the petitioner has prayed for quashing order dated 17-10-2000 vide which Divisional Forest Officer, Adilabad seized 112 Rawa bags, which were being transported in lorry bearing No. AP-9U-4114 from Nagpur to Hyderabad.

On the last date of hearing, learned Assistant Government Pleader for Forests made a statement that during the pendency of the writ petition, the seized goods were confiscated. Today, the learned Assistant Government Pleader reiterated her statement and submitted

that the petitioner can avail remedy of appeal against the order of confiscation.

Shri B. Vijaysen Reddy, learned counsel for the petitioner says that in view of the statement made by the learned Assistant Government Pleader, his client may be permitted to withdraw this petition with liberty to challenge the order of confiscation by filing appeal.

The request of the learned counsel is accepted and the writ petition is dismissed with liberty to the petitioner to challenge the order of confiscation by filing appeal.

Since the matter has remained pending before this Court for seven years, I deem it proper to allow two weeks time to the petitioner to challenge the order of confiscation by filing appeal and direct that if he does so, the appeal shall be heard and decided on merits.

G.S.SINGHVI, CJ

July 25, 2007

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